

APR 13 2021

By: JAMES N. HATTEN, Clerk  
 Deputy ClerkIN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA

*v.*

MICHAEL HUBBARD

Criminal Indictment

No. 1:19-CR-179

(Third Superseding)

THE GRAND JURY CHARGES THAT:

**Count One**

On or about June 18, 2018, in the Northern District of Georgia, the defendant, MICHAEL HUBBARD, knowing he had previously been convicted of at least one of the following offenses in the Superior Court of Fulton County, Georgia; that is:

- (1) Robbery by Force, Aggravated Assault, and Battery, on or about February 27, 2013;
- (2) Battery-Family Violence and Possession of Cocaine, Case No. 16SC147025, on or about February 1, 2018; and
- (3) Aggravated Assault, Battery-Family Violence, Possession of a Firearm during the Commission of a Felony, and Possession of a Firearm by a Convicted Felon, Case No. 16SC148270, on or about February 1, 2018, each of which was a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, that is, a Taurus, Millennium PT111 G2, 9mm pistol, in and affecting interstate and foreign commerce; all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e)(1).

### **Forfeiture**

Upon conviction of the offense alleged in this Indictment, the defendant, Michael Hubbard, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461, all firearms and ammunition involved in and used in the offense, including, but not limited to: one (1) Taurus, Millennium PT111 G2, 9mm pistol, bearing serial number TJT87190.

If, as a result of any act or omission of the defendant, any property subject to forfeiture:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States intends, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property.

A  BILL  
  
FOREPERSON

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